

**DEPARTMENT OF PLANNING
AND NATURAL RESOURCES**



**AIR POLLUTION CONTROL PROGRAM
AUTHORITY TO CONSTRUCT AND PERMIT TO OPERATE**

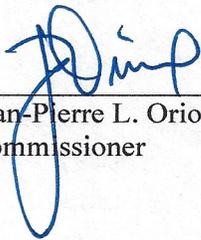
For:

**LIMETREE BAY TERMINALS, LLC/
LIMETREE BAY REFINING, LLC**

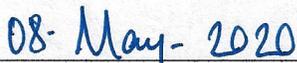
EFFECTIVE DATE: May 08, 2020

PERMIT NUMBER: STX-924-AC-PO-20
(MARPOL Project) Revised

THE PERMITTEE LIMETREE BAY TERMINALS, LLC/LIMETREE BAY REFINING, LLC IS SUBJECT TO ALL TERMS, CONDITIONS, LIMITATIONS, AND STANDARDS CONTAINED HEREIN. THE CONDITIONS IN THIS PERMIT ARE FEDERALLY AND LOCALLY ENFORCEABLE.



Jean-Pierre L. Oriol
Commissioner



Date

FACILITY INFORMATION

PERMITTEE: Limetree Bay Terminals, LLC/Limetree Bay Refining, LLC
#1 Estate Hope
Christiansted, VI 00820

SIC CODE: 2911

PERMIT NUMBER: STX-924-AC-PO-20

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LIMETREE BAY TERMINALS, LLC ("LIMETREE BAY TERMINALS") and LIMETREE BAY REFINING, LLC ("LIMETREE BAY REFINING") (collectively, "LIMETREE BAY TERMINALS AND REFINING") have acquired assets formerly owned by HOVENSA L.L.C., which had idled its refinery process units in 2011 and 2012 but had continued to operate its terminal. Prior to sale of the assets, HOVENSA had entered into a Consent Decree (Case: 1:11-cv-00006) ("Consent Decree") with the Government of the United States Virgin Islands and the United States of America. The Consent Decree is binding on successors and requires that HOVENSA condition any transfer of the refinery upon the execution by the transferee of a modification to the Consent Decree which makes the terms and conditions of the Consent Decree applicable to the transferee.

In 2015, **LIMETREE BAY TERMINALS** entered into an operating agreement with the Government of the United States Virgin Islands. In that 2015 agreement, the facility was contractually obligated to evaluate the potential of resuming operations at the refinery before December 2018.

In 2016, **LIMETREE BAY TERMINALS** entered into the Amended and Restated Asset Purchase Agreement, in which **LIMETREE BAY TERMINALS** agreed, on the terms and subject to the conditions of the APA, to assume all of HOVENSA's Liabilities, other than the Excluded Liabilities, in connection with the purchased assets arising out of or relating to any act, omission, circumstances or other event occurring after the closing.

In 2018, **LIMETREE BAY TERMINALS** entered into the Amended and Restated Terminal Operating Agreement with the Government of the United States Virgin Islands, in which **LIMETREE BAY TERMINALS** agreed, in part, to use commercially reasonable efforts to add itself as a named party defendant to the Consent Decree and to modify the Consent Decree to restart refinery operations.

Also in 2018, **LIMETREE BAY REFINING** entered into the Refinery Operating Agreement with the Government of the United States Virgin Islands, in which **LIMETREE BAY REFINING** agreed, in part, to use commercially reasonable efforts to add itself as a named party defendant to the Consent Decree and to modify the Consent Decree to restart refinery operations.

LIMETREE BAY TERMINALS plans to resume operation of some of the refinery's existing process unit and utilities. **LIMETREE BAY TERMINALS** submitted to the U.S. Virgin Islands Department of Planning and Natural Resources ("Department") a revised permit application dated April 24, 2019 (the "Application") proposing to restart refining operations at the St. Croix facility to meet local market demand and produce low sulfur fuels required by EPA regulations and international maritime conventions and standards. As part of this effort, **LIMETREE BAY TERMINALS AND REFINING** is proposing to modify the East Sulfur Recovery Plant, Heaters, #8 Boiler, #9 Boiler, GT No. 7, GT No. 8, and Tanks and to make repairs outlined in Table 1.

Nothing in this permit relieves **LIMETREE BAY TERMINALS AND REFINING** of any obligations to modify the Consent Decree to restart operations, comply with the Consent Decree, or pay penalties for violations of the Consent Decree, as applicable.

Table 1. MARPOL Project Equipment Description

Plant Area	Process Unit	Source ID(s)	Unit Description	Project Description
Area I	Penex	Penex	Process Unit	Install reactor (previously located at #2DU)
Area I	Penex	H-202	Hot Oil Heater	Install ultra-low NOx burners, repairs, resume operations
Area I	Penex	C-200A	Reciprocating Gas Compressor	Repairs, resume operations
Area I	Penex	C-200B	Reciprocating Gas Compressor	Repairs, resume operations
Area I	Penex	C-200C	Reciprocating Gas Compressor	Repairs, resume operations
Area I	Utility Fractionator	Utility Fractionator.	Process Unit	Repairs, resume operations
Area I	Utility Fractionator	H-160	Charge Heater	Repairs, resume operations
Area III	#5 Crude Distillation Unit	#5 CDU	Process Unit	Piping changes repairs. resume operations
Area III	#5CDU	H-3101A	Crude Charge Heater	Install ultra-low NOx burners, repairs, resume operations
Area III	#5CDU	H-3101B	Crude Charge Heater	Install ultra-low NOx burners, repairs, resume operations
Area III	#6 Crude Distillation Unit	#6 CDU	Process Unit	Install tie-ins from #5 CDU to #6 CDU desalter Possible installation of additional gas compressor
Area III	#6CDU	H-4101A	Crude Charge Heater	Install ultra-low NOx burners, repairs, resume operations
Area III	#6CDU	H-4101B	Crude Charge Heater	Install ultra-low NOx burners, repairs, resume operations
Area III	No. 2 Gas Recovery Unit	2 GRU	Process Unit	Piping changes, repairs, resume operations
Area III	Gas Treatment	Unit No. 4800	Gas Treating	Repairs, resume operations
Area III	Gas Treatment	Unit No. 5800	Gas Treating	Add new flash drum (D-5838) at No. 5 Amine Unit to work in parallel with No. 4 Amine flash drum. Add new rich amine pumps (P5835A/B) and slop oil pump (P-5836). piping changes repairs. resume operation
Area IV	#3 Vacuum Unit	#3 VAC	Process Unit	Piping changes repairs resume operations
Area IV	#3 VAC	H-4201	Prestripper Heater	Install ultra-low NOx burners, repairs, resume operations

Plant Area	Process Unit	Source ID(s)	Unit Description	Project Description
Area IV	#3 VAC	H-4202	Vacuum Heater	Install ultra-low NOx burners, repairs, resume operations
Area IV	#7 Distillate Desulfurizer	#7 DD	Process Unit	Piping changes, install-new pressure swing adsorption system to purify hydrogen, and on-line analyzer, repairs, resume operation
Area IV	#7 DD	Heater H-430 I A	Reactor Charge Heater	Install ultra-low NOx burners, repairs, resume operations
Area IV	#7 DD	Heater H-430 I B	Reactor Charge Heater	Install ultra-low NOx burners, repairs, resume operations
Area IV	#7 DD	Heater H-4302	Stripper Reboiler Heater	Install ultra-low NOx burners, repairs, resume operations
Area IV	#3 Platformer (Hydrobon)	#3 Plat (Hydrobon)	Process Unit	Repurpose Hydrobon section to light naphtha hydrotreater-resume operation
Area IV	#3 Platformer (Hydrobon)	Heater H-4401	Charge Heater	Install ultra-low NOx burners, repairs, resume operations
Area IV	#3 Platformer (Hydrobon)	Heater H-4402	Fired Reboiler Heater	Install ultra-low NOx burners, repairs, resume operations
Area IV	#3 Platformer (Hydrobon)	Heater H-4455	Fired Reboiler Heater	Install ultra-low NOx burners, repairs, resume operations
Area IV	#3 Platformer (Reformer)	#3 Plat (Reformer)	Process Unit	Changes as needed to function as alternative to # 4 Plat Reformer and repairs, resume operations
Area IV	#3 Platformer (Reformer)	Heater H-4451	Charge Heater	Install ultra-low NOx burners, repairs, resume operations
Area IV	#3 Platformer (Reformer)	Heater H-4452	Intermediate Heater	Install ultra-low NOx burners, repairs, resume operations
Area IV	#3 Platformer (Reformer)	Heater H-4453	Intermediate Heater	Install ultra-low NOx burners, repairs, resume operations
Area IV	#3 Platformer (Reformer)	Heater H-4454	Intermediate Heater	Install ultra-low NOx burners, repairs, resume operations
Area IV	#6 Distillate Desulfurizer	#6 DD	Process Unit	Install piping and control valves, effluent exchanger, reactor hydrogen quench system, different catalyst in existing reactor piping, repairs, resume operation
Area IV	#6 DD	H-4601A	Reactor Charge Heater	Install ultra-low NOx burners, repairs, resume operations

Plant Area	Process Unit	Source ID(s)	Unit Description	Project Description
Area IV	#6 DD	H-4601B	Reactor Charge Heater	Install ultra-low NOx burners, repairs, resume operations
Area IV	#6 DD	H-4602	Stripper Reboiler Heater	Install ultra-low NOx burners, repairs, resume operations
Area IV	#6 DD	C-4601A	Reciprocating Gas Compressor	Repairs, resume operations
Area IV	#6 DD	C-4601B	Reciprocating Gas Compressor	Repairs, resume operations
Area IV	#6 DD	C-4601C	Reciprocating Gas Compressor	Repairs, resume operations
Area II	#2 DU	#2 DU	Process Unit	Changes as needed to function as alternate to #6 DD and repairs, resume operations
Area II	#2 DU	H-800A	Reactor Charge Heater	Install ultra-low NOx burners, repairs, resume operations as alternate to #6 DD
Area II	#2 DU	H-800B	Reactor Charge Heater	Install ultra-low NOx burners, repairs, resume operations as alternate to #6 DD
Area II	#2 DU	H-801	Stripper Heater	Install ultra-low NOx burners, repairs, resume operations as alternate to #6 DD
Area IV	#4 Platformer	#4 Platformer	Process Unit	Use Hydrobon section as a naphtha hydrotreater and reformer section as naphtha reformer, install chlorine gas treater and LPG treater, piping, repairs, and resume operations
Area IV	#4 Platformer	H-5401	Charge Heater	Install ultra-low NOx burners, repairs, resume operations
Area IV	#4 Platformer	H-5402	Fired Reboiler Heater	Install ultra-low NOx burners, repairs, resume operations
Area IV	#4 Platformer	H-5451	Charge Heater	Install ultra-low NOx burners, repairs, resume operations
Area IV	#4 Platformer	H-5452	Intermediate Heater	Install ultra-low NOx burners, repairs, resume operations
Area IV	#4 Platformer	H-5453	Intermediate Heater	Install ultra-low NOx burners, repairs, resume operations
Area IV	#4 Platformer	H-5454	Intermediate Heater	Install ultra-low NOx burners, repairs, resume operations

Plant Area	Process Unit	Source ID(s)	Unit Description	Project Description
Area IV	#4 Platformer	H-5455	Fired Reboiler Heater	Install ultra-low NOx burners, repairs, resume operations
Area IV	#9 Distillate Desulfurizer	#9 DD	Process Unit	Repairs, resume operations
Area IV	#9 Distillate Desulfurizer	H-5301A	Reactor Charge Heater	Install ultra-low NOx burners, repairs, resume operations
Area IV	#9 Distillate Desulfurizer	H-5301B	Reactor Charge Heater	Install ultra-low NOx burners, repairs, resume operations
Area IV	#9 Distillate Desulfurizer	H-5302	Stripper Reboiler Heater	Install ultra-low NOx burners, repairs, resume operations
Area V	#6 Amine	Unit No. 7450	Process Unit	Install tie-in to East Sulfur Plant TGTU repairs, and resume operations
Area V	#7 Amine	Unit No. 7460	Process Unit	Repairs, resume operations
Area VI	East Sulfur Recovery	#3 SRU	Unit No. 4740	Replace air blowers, primary burner, intra-stage reheaters, reload catalyst, piping, repairs, and resume operations
Area VI	East Sulfur Recovery	#4 SRU	Unit No. 4750	Replace air blowers, primary burner, reload catalyst, piping, repairs, and resume operations
Area VI	East Sulfur Recovery	#2 Beavon	H-4761 (T-4761)	Replace #2 Beavon to a Shell Claus Offgas Treater ("SCOT") type TGTU (change hydrogenation reactor catalyst, replace fired reheater with steam reheater, install quench column, absorber, pumps, and quench water cooler, and filter system), piping, repairs, and resume operations
Area VI	East Sulfur Recovery	H-4745	East Incinerator	Repairs resume operations
Area VI	East Sulfur Recovery	#3 and #4 SRU	East Sulfur Pits	Install sulfur pit eductor system, install replacement of existing priller/pelletizer, install new drain hubs, piping, repairs, and resume operations
Area VI	East Sulfur Storage Area	Materials Handling	Materials Handling	Repairs resume operations
Area VI	Advanced Wastewater Treatment System	#2 API (Unit No. 1660)	Oil/Water Separator	Repairs, resume operations
Area VI	Advanced Wastewater Treatment System	#2 WEMCO	Induced Air Floatation	Repairs, resume operations
Area VI	Advanced Wastewater Treatment System	West Benzene Stripper (STK-3510)	Air Stripper	Repairs, resume operations
Area VI	Advanced Wastewater Treatment System	East Benzene Stripper (STK-3530)	Air Stripper	Repairs, resume operations

Plant Area	Process Unit	Source ID(s)	Unit Description	Project Description
Area VI	Advanced Wastewater Treatment System	#3 WEMCO	Induced Air Flootation	Repairs, resume/continue operations
Area VI	Advanced Wastewater Treatment System	Miscellaneous Equipment	Process Unit	Piping changes, repairs, resume/continue operations
Area VI	Advanced Wastewater Treatment System	#3 & #4 Sour Water Strippers (Unit No. 4720/30)	Steam Stripper	Add new drum, repairs, resume operations
Area VI	Advanced Wastewater Treatment System	#5 Sour Water Strippers (Unit No. 7400)	Steam Stripper	Install new drain hubs, repairs, resume operations
Area VI	Advanced Wastewater Treatment System	CPS Oil/Water Separator	Oil/Water Separator	Repairs, resume operations
Area VI	Refinery Flare System	#3 Flare (H-1104)	Gas Burner	Additional piping connected to header, install connections for future possible project, and repairs, resume operations
Area VI	Refinery Flare System	FCC Flare (L.P. Flare - STK 7941)	Gas Burner, steam assist	Additional piping connected to header, install connections for future possible project, and repairs, resume operations
Area VII	Delayed Coker Unit	DCU	Process Unit	Install blowdown eductor system, automatic unheading valves on the bottom of each coke drum, and additional instrumentation, piping, repairs, resume operations
Area VII	Delayed Coker Unit	H-8501A	Coker Process Heater 1	Revise permit conditions. Repairs, resume operations
Area VII	Delayed Coker Unit	H-8501B	Coker Process Heater 2	Revise permit conditions. Repairs, resume operations
Area VII	Delayed Coker Unit	TK-8501 (Hot pitch tank)	Fixed roof storage tank	Revise permit conditions. Repairs, resume operations
Area VII	Delayed Coker Unit	TK-8502 (Quench water tank)	Open roof tank	Repairs, resume operations
Area VII	Delayed Coker Unit	TK-8503	Fixed roof	Repairs, resume operations
Area VII	Coker Complex	Coke handling, storage, & loading system	Transportation & breaking of solid coke between drums & dock	Revise permit conditions. Repairs, resume operations
Area VII	Coker Complex	Tank TK-8511 & Residuals Recycling System	Tank TK-8511 & recycling system	Repairs, resume operations
Area VIII	Utility III	#8 Boiler (B-3303)	Boiler; Produces Steam	Install NOx Control, repairs, resume operations
Area VIII	Utility III	#9 Boiler (B-3304)	Boiler; Produces Steam	Install NOx Control, repairs, resume operations

Plant Area	Process Unit	Source ID(s)	Unit Description	Project Description
Area VIII	Utility III	#10 Boiler<B-3701)	Boiler- Produces Steam	Repairs. resume operations
Area VIII	Powerhouse 2	GT No. 7 (G-3407)	Turbine; Produces Electricity	Install SCR or steam injection, repairs, continue/resume operations
Area VIII	Powerhouse 2	GT No. 8 (G-3408)	Turbine; Produces Electricity	Install SCR or steam injection, repairs, continue/resume operations
Area VIII	Powerhouse 2	GT No. 9 (G-3409)	Turbine; Produces Electricity	Repairs, resume operations
Area VIII	Powerhouse 2	GT No. 10 (G-3410)	Turbine; Produces Electricity	Repairs, resume operations
Area VIII	GT No. 13 and Duct Burner	GT No. 13 (G-3413)	Turbine; Produces Electricity	Repairs, resume operations
Area VIII	GT No. 13 and Duct Burner	H-3413	Duct Burner	Repairs, resume operations
Area IX	Tank	TK-1071	External Floating Roof	Repairs, continue/resume operations
Area IX	Tank	TK-1663	External Floating Roof	Repairs, continue/resume operations
Area IX	Tank	TK-6814	External Floating Roof	Repairs, continue/resume operations
Area IX	Tank	TK-6815	External Floating Roof	Repairs, continue/resume operations
Area IX	Tank	TK-6816	External Floating Roof	Repairs, continue/resume operations
Area IX	Tank	TK-6825	Fixed Roof	Convert from fixed roof to internal floating roof, Repairs. continue/resume operations
Area IX	Tank	TK-6836	External Floating Roof	Repairs, continue/resume operations
Area IX	Tank	TK-6838	External Floating Roof	Repairs, continue/resume operations
Area IX	Tank	TK-6839	External Floating Roof	Repairs, continue/resume operations
Area IX	Tank	TK-6840	External Floating Roof	Repairs, continue/resume operations
Area IX	Tank	TK-6841	Internal Floating Roof	Repairs, continue/resume operations
Area IX	Tank	TK-7405	Fixed Roof	Repairs, continue/resume operations
Area IX	Tank	TK-7406	Fixed Roof	Repairs, continue/resume operations
Area IX	Tank	TK-7411	Fixed Roof	Convert from fixed roof to internal floating roof, Repairs. continue /resume operations
Area IX	Tank	TK-7412	Fixed Roof	Convert from fixed roof to internal floating roof, Repairs. continue/resume operations
Area IX	Tank	TK-7413	Fixed Roof	Repairs, continue /resume operations

Plant Area	Process Unit	Source ID(s)	Unit Description	Project Description
Area IX	Tank	TK-7414	Fixed Roof	Repairs, continue /resume operations
Area IX	Tank	TK-7425	Internal Floating Roof	Repairs, continue/resume operations
Area IX	Tank	TK-7426	Internal Floating Roof	Repairs, continue/resume operations
Area IX	Tank	TK-7427	Fixed Roof	Repairs, continue /resume operations
Area IX	Tank	TK-7443	External Floating	Repairs, continue/resume operations
Area IX	Tank	TK-7444	External Floating	Repairs, continue/resume operations
Area IX	Tank	TK-7445	External Floating	Repairs, continue/resume operations
Area IX	Tank	TK-7446	Fixed Roof	Repairs, continue/resume operations
Area IX	Tank	TK-7447	External Floating Roof	Repairs, continue/resume operations
Area IX	Tank	TK-7448	Internal Floating Roof	Repairs, continue/resume operations
Area IX	Tank	TK-7501	Fixed Roof	Repairs, continue/resume operations
Area IX	Tank	TK-7502	Fixed Roof	Repairs, continue/resume operations
Area IX	Tank	TK-7510	External Floating Roof	Repairs, continue /resume operations
Area IX	Tank	TK-7511	External Floating Roof	Repairs, continue/resume operations
Area IX	Tank	TK-7512	External Floating Roof	Repairs, continue/resume operations
Area IX	Tank	TK-7514	External Floating Roof	Repairs, continue /resume operations
Area IX	Tank	TK-7515	External Floating Roof	Repairs, continue/resume operations
Area IX	Tank	TK-7516	External Floating Roof	Repairs, continue /resume operations
Area IX	Tank	TK-7541	Fixed Roof	Repairs, continue/resume operations
Area IX	Tank	TK-7542	Fixed Roof	Repairs, continue/resume operations
Area IX	Tank	TK-7601	Internal Floating Roof	Repairs, continue/resume operations
Area IX	Tank	TK-7604	Internal Floating Roof	Repairs, continue/resume operations
Area IX	Tank	TK-7605	External Floating Roof	Repairs, continue/resume operations
Area IX	Tank	TK-7932	Open roof tank	Repairs, continue /resume operations
Area IX	Tank	TK-7933	Fixed Roof	Repairs, continue/resume operations
Area X	Piping	Unit No. 1902	East/West fuel gas system	Repairs, continue/resume operations
Area X	Piping	Unit No. 3303	East/West fuel gas system	Repairs, continue/resume operations

Plant Area	Process Unit	Source ID(s)	Unit Description	Project Description
Area X	Storage Pile and Conveyor	N/A	Sulfur Storage and Ship Loading	Repairs, resume operations

* Per Title V Permit No. STX-TV-003-10

This Authority to Construct and Permit to Operate (herein "the Permit", "this Permit", or "MARPOL Project Permit") is issued under the authority of the Virgin Islands Air Pollution Control Act and Virgin Islands Rules and Regulations Title 12, Chapter 9, §206-26, §206-27 and §206-31 and permits the construction and operation of units identified in Section I and the Application, under the cited rules.

SECTION I: REGULATORY REQUIREMENTS

LIMETREE BAY TERMINALS AND REFINING, shall continue to comply with applicable regulatory requirements as defined in the St. Croix facility Title V Permit No. STX-TV-003-10, for all emission units affected but not modified by the MARPOL Project. For the affected facilities and sources that are modified by the MARPOL Project, existing requirements and changes from the requirements in the Title V permit are summarized in Table 2. Where a term or condition of this Permit differs from, modifies or changes a provision of Title V Permit No. STX-TV-003-10, **LIMETREE BAY TERMINALS AND REFINING** agrees to comply with the terms and conditions of this Permit in lieu of those in the Title V Permit until such permit is amended to reflect the terms and conditions of this Permit.

1. Based on the information submitted in the Application and supporting documents, **LIMETREE BAY TERMINALS AND REFINING's** MARPOL Project is subject to the regulations outlined in Table 2.

Table 2. Applicable Regulations

Provisions marked with an * are existing requirements in the Title V permit that will not change as a result of the MARPOL

Regulation	Affected Source and Section
*40 CFR Part 60, Subpart A: General Provisions	Area wide requirement
40 CFR Part 60, Subpart Ja: Petroleum Refineries	East Sulfur Recovery Plant conversion to a reduction control system followed by an incinerator
40 CFR Part 60, Subpart GGGa: Equipment Leaks of VOC in Petroleum Refineries which construction, reconstruction or modification commenced after November 7, 2006	As applicable, equipment in VOC service
*40 CFR Part 60, Subpart QQQ: Petroleum Refinery Wastewater System	As applicable, individual drain system
*40 CFR Part 60, Subpart GG: Standards of Performance for Stationary Gas Turbines	GT-7 and GT-8

Regulation	Affected Source and Section
*40 CFR Part 60, Subpart KKKK: Stationary Gas Turbines	GT-13 and duct burner
*40 CFR Part 60, Subpart D: Fossil-Fuel-Fired Steam Generators	Boilers #8 and #9
*40 CFR Part 61, Subpart A: General Provisions	Area wide requirement
*40 CFR Part 61, Subpart M: Asbestos	Asbestos containing material included in MARPOL project
*40 CFR Part 61, Subpart FF: Benzene Waste Operations	Facilities used for the storage and treatment of benzene containing waste
40 CFR Part 63, Subpart A: General Provisions	Area wide requirement.
*40 CFR Part 63, Subpart CC: Petroleum Refineries	Petroleum refinery process units and associated emission points
*40 CFR Part 63, Subpart WW: NESHAP for storage vessels	Storage vessels as applicable under Subpart CC
*40 CFR Part 63, Subpart UUU: NESHAP for Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units	#3 Plat, #4 Plat, and East Sulfur Recovery Plant
*40 CFR Part 63, Subpart YYYYY: NESHAP for Stationary Combustion Turbines	GT-13
*40 CFR Part 63, Subpart DDDDD: NESHAP for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters	All existing boilers and process heaters at Limetree Bay
*40 CFR Part 63, Subpart ZZZZ: NESHAP for Stationary Reciprocating Internal Combustion Engines	Penex Reciprocating Gas Compressors
*Virgin Islands Air Pollution Control Act Rules and Regulations, Title 12, Chapter 9, Sections 204 - 206	Facility-wide as applicable

2. In addition to the regulatory requirements summarized in Table 2 above, **LIMETREE BAY TERMINALS AND REFINING** shall comply with the applicable provisions of 40 CFR §52.21(r)(6).
3. The MARPOL Project is a minor modification which shall not result in a significant increase of any regulated New Source Review (NSR) pollutant.
4. **LIMETREE BAY TERMINALS AND REFINING** shall comply with 40 CFR 68 when applicable.
5. For the purposes of Section II.2, referenced above, the following provisions shall apply:
 - (a) Annual emissions shall be based on:
 - i. Department of U.S. Environmental Protection Agency (USEPA) policies in effect, AP-42, or engineering estimates;
 - ii. Actual data to determine the activity rate; and
 - iii. Account for the control equipment.

Department and USEPA regulations and policies have established a hierarchy of emissions rate information to be used in calculation of emissions. Annual emissions shall be calculated using the most reliable emissions rates available.

- (b) Permit STX-924-AC-PO-19 (MARPOL Project) contains provisions relevant to the calculation of emissions rates, such as stack testing or monitoring and recording of process parameters. **LIMETREE BAY TERMINALS AND REFINING** is authorized to use this information to comply with Section II.2 in the calculation of annual emissions.
- (c) Nothing in the MARPOL Project Permit shall require **LIMETREE BAY TERMINALS AND REFINING**, during the construction phase, to monitor or record information relating to annual emissions in addition to the information required by the MARPOL Project Permit.

SECTION II: SPECIFIC CONDITIONS FOR THE MARPOL PROJECT

LIMETREE BAY TERMINALS AND REFINING is proposing to resume operations of some of the St. Croix facility refining process units (the "MARPOL Project"). The MARPOL Project will be comprised of a modification of the East Sulfur Recovery Plant to increase its capacity and convert the #2 Beavon tail gas treatment unit to a reduction control system (Scot Unit) followed by an incinerator (East Incinerator) and various equipment changes listed in Table 1 including the #5 CDU, #6 CDU, #3 VAC, #7 DD, #3 Plat, #6 DD, #2 DU, #4 Plat, Penex, Utility Frac., Coker, #9 DD, #2 GRU, Gas Treatment (Unit No. 4800), Gas Treatment (Unit No. 5800), and various other units to support resumption of refining operations at the St. Croix facility to meet local market

demand and produce low sulfur fuels required by EPA regulations and international specifications and treaties. **LIMETREE BAY TERMINALS AND REFINING** is proposing to install steam injection or selective catalytic reduction (SCR) systems on GT-7 and GT-8 and installation of NOx controls on Boilers #8 and #9 to meet the NSPS subpart D standards. Additionally, **LIMETREE BAY TERMINALS AND REFINING** has requested revisions to conditions in the Title V operating permit (STX-TV-003-10) which have as their basis conditions in permits that were issued in support of the Coker Project and the incorporation of additional requirements and standards for emissions units that were physically modified as part of the Coker Project. **LIMETREE BAY TERMINALS AND REFINING** shall construct, modify, test and operate in accordance with all the conditions of this permit. [12 V.I.R&R 09.206-26(d)(2)] **LIMETREE BAY TERMINALS AND REFINING** shall comply with the MARPOL Project Scope (See Attachment 1 of this permit). [12 V.I.R&R 09.206-26(d)(2)] Changes in the Project Scope shall be approved by DPNR in accordance with 12 V.I.R&R 09.206-26(e)(1).

A. OPERATIONAL REQUIREMENTS

1. **LIMETREE BAY TERMINALS AND REFINING** shall comply with standards outlined in § 60.592a, of 40 CFR Part 60, Subpart GGGa as applicable.
2. **LIMETREE BAY TERMINALS AND REFINING** is subject to and will comply with 40 CFR Part 63, Subpart CC as applicable, as amended [80 FR 75253, Dec. 1, 2015]: National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries ("NESHAP").
3. **LIMETREE BAY TERMINALS AND REFINING** is subject to and will comply with 40 CFR Part 63, Subpart UUU as amended [80 FR 75273, Dec. 1, 2015]: NESHAP for Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units.
4. **LIMETREE BAY TERMINALS AND REFINING** is subject to and will comply with 40 CFR Part 63, Subpart ZZZZ as amended [79 FR 11290, Feb 27, 2014]: NESHAP for Stationary Reciprocating Internal Combustion Engines.
5. **LIMETREE BAY TERMINALS AND REFINING** is subject to and will comply with 40 CFR Part 63, Subpart DDDDD: NESHAP for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters.
6. Prior to building, erecting, altering or replacing any article, machine, equipment or other contrivance other than those subject to this Permit, the use of which may cause the issuance of air contaminants or may eliminate or reduce or control the issuance of air contaminants, **LIMETREE BAY TERMINALS AND REFINING** shall first obtain a written Authority to Construct from the Commissioner or his designated representative. [12 V.I. R&R § 206- 20(a)(1995)].
7. Prior to operation at any other location, **LIMETREE BAY TERMINALS AND REFINING** must submit a separate application for an Authority to Construct the equipment(s) at each new location or construction project that will be conducted on noncontiguous property. [12 V.I. R&R § 206-21(a)(1995)].

8. Construction and operation of the sources authorized by this Permit will not prevent the attainment or maintenance of any ambient air quality standard and will not result in a violation of any provision of this chapter or the Virgin Islands State Implementation Plan [12 V.I. R&R, Ch. 9 § 206-26(a)(2)(1995) and 12 V.I.R&R, Ch. 9 § 206-27(a)(1)(B) (1995)].
9. **LIMETREE BAY TERMINALS AND REFINING** shall not cause or permit the discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, annoyance to persons or to the public or which endanger the comfort, repose, health, or safety of any such persons or the public or which cause or have tendency to cause injury or damage to business or property. [12 V.I.R&R, Ch. 9 § 204-27(a)].
10. Nothing in any other regulation concerning emission of air contaminants, or any other regulations relating to air pollution, shall in any manner be construed as authorizing or legalizing the creation or maintenance of a nuisance described in the above-mentioned condition. [12 V.I. R&R, Ch. 9 §204-27(b)].
11. **LIMETREE BAY TERMINALS AND REFINING** shall comply with sulfur compound emission controls outlined in 12 V.I.R&R § 204-26(a)(1) and (b) for the emissions sources.
12. **LIMETREE BAY TERMINALS AND REFINING** shall not build, erect, install or use any article, machine, equipment or other contrivance, the sole purpose of which is to dilute or conceal an emission without resulting in a reduction in the total release of air contaminants to the atmosphere. [12 V.I.R& R, Ch. 9 § 204-30]
13. It shall be the duty of **LIMETREE BAY TERMINALS AND REFINING** to report any discontinued or dismantled fuel burning, combustion or process equipment or device coming under the jurisdiction of the permit provision of this chapter within thirty (30) days of permanent discontinuance or dismantlement of such equipment or device. [12 V.I.R&R, Ch. 9 § 204-31].
14. **LIMETREE BAY TERMINALS AND REFINING** shall report to the Department any physical change or changes in construction and operation which increase the amount of air pollutants or process production. [12 V.1.R&R 09-204-20(ff)(1995)]
15. During construction and operation, any source subject to this Permit, which is responsible for contravening ambient air quality standards, will be required to be modified to bring operation into compliance. [12 V.I.R&R 09-206-26(a)(2)(1995)]

B. SPECIFIC EQUIPMENT CONDITIONS

1. East Sulfur Recovery Plant

- (a) **LIMETREE BAY TERMINALS AND REFINING** shall use the SCOT type TGTU to control tailgas from the Nos. 3 and 4 Sulfur Recovery Units.¹
- (b) Exhaust from the SCOT type TGTU shall be routed to the East Incinerator (H-4745).
- (c) During periods of sulfur recovery plant (*i.e.*, SRUs and TGTU) startup, shutdown, or malfunction, the tailgas shall be routed directly to the East Incinerator (H-4745).

2. Gas Turbine Steam Generators GT-7 and GT-8

- (d) **LIMETREE BAY TERMINALS AND REFINING** shall combust only gaseous fuel or No. 2 oil with a maximum sulfur content of 0.1% weight.
- (e) **LIMETREE BAY TERMINALS AND REFINING** shall install and operate the steam injection or selective catalytic reduction ("SCR") in GT-7 and GT-8, as applicable, for the purpose of NOx control, at all times except during periods of startup, shutdown or maintenance of the gas turbines.
- (f) **LIMETREE BAY TERMINALS AND REFINING** shall install, operate and maintain the steam injection or SCRs, as necessary, in accordance with the manufacturer's specifications.

3. Boilers #8 and #9

- (g) LIMETREE BAY TERMINALS AND REFINING shall combust gaseous fuel.
- (h) **LIMETREE BAY TERMINALS AND REFINING** shall install and operate the NOx controls in Boilers #8 and #9 at all times except during periods of startup, shutdown, or maintenance of the boilers.

C. EMISSIONS LIMITS AND WORK PRACTICES

1. East Sulfur Recovery Plant

- a. East Sulfur Recovery Plant is subject to NSPS subpart Ja: Standards of Performance for Petroleum Refineries
- b. **LIMETREE BAY TERMINALS AND REFINING** shall comply with standards outlined in § 60.102a(f)(1)(i) as applicable to an oxidation control system or a

¹ The Department is revising 12 V.1.R& R, Ch. 9 § 204-45 to remove the requirement for a Beavon unit, and to allow for use of a SCOT unit. Pending finalization of such regulatory revision, Limetree Bay Terminals and Refining may use a SCOT unit in lieu of a Beavon Unit to control tailgas from the Nos. 3 and 4 Sulfur Recovery Units.

reduction control system followed by incineration.

- c. The emissions from the East Incinerator shall not exceed the limitations in Table 3.

Table 3. MARPOL Project Modified Unit Emission Limits

Air Pollutant	Annual Emissions(tpy)⁽¹⁾
NO _x	24
CO	20
VOC	1.3
SO ₂	282
PM	4.2

(1) Emissions corresponding to East Incinerator H-4745.

D. REQUESTED REVISIONS TO TITLE V CONDITIONS, WHICH ARE BASED ON THE COKER PROJECT PERMIT AND ADDITIONAL REQUESTED CONDITIONS

LIMETREE BAY TERMINALS AND REFINING shall comply with the additional requirements and standards in Table 4.

Table 4. Title V Permit Revisions and Additional Conditions

Unit	Pollutant	Title V STX-TV-003-10	Title V Permit Language Changes (Requested Revisions and Additions)
Coker Heaters (H-8501A/B)	SO ₂	3.1.2.7.2	The process heaters shall be limited to burning refinery gas or propane with an H ₂ S content less than 75 parts per million by volume (ppmv) averaged over a 3-hour rolling period. [STX-924-AC-PO-19]
Coker Heaters (H-8501A/B)	NO _x	3.1.2.7.3	Each heater shall be equipped with ultra-low NO _x burners. The emission rate of NO _x from each heater shall not exceed 0.07 lb/mmBtu. [STX-924-AC-PO-19]
Coker Heaters (H-8501A/B)	CO	3.1.2.7.4	The emission rate of CO from each heater shall not exceed 0.030 lb/mmBTU. [STX-924-AC-PO-19]
Coker Heaters (H-8501A/B)	VOC	3. 1.2.7.5	The emission rate of VOC from each heater shall not exceed 0.0050 lb/mmBTU [STX-924-AC-PO-19]
Coker Heaters (H-8501A/B)	PM/ PM10	3.1.2.7.6	The allowable particulate emission rate for these heaters are as follows, where $E = I / P^{0.22}$ and P = heat input in mmBtu/hr: H-8501A: E = 0.29 lb/mmBtu H-85018: E = 0.29 lb/mmBtu [VIRR-1 2-09-204-23(b)]

Unit	Pollutant	Title V STX-TV- 003-10	Title V Permit Language Changes (Requested Revisions and Additions)
TK-8501	VOC	3.1.10.1.1	[RESERVED]*
TK-8501	VOC	3.1.10.1.2	Tank TK-8501 shall be subject to NSPS Subpart Kb monitoring requirements (40 CFR 60, Subpart Kb, 60.110b-117b). However, TK-8501 shall be exempt from the control requirements under Subpart Kb because it is restricted from storing material with a true vapor pressure greater than 0.5 psia. Record and maintain records as set forth in condition 5.3.10.1.5. [NSPS Subpart Kb and STX-924-AC-PO-19]
Refinery	All	3.1.17.6	[RESERVED]
Coker	All	3.1.17.7	[RESERVED]
Coke Handling, Storage and Loading Facility	PM (all species)	3.1.17.10	The Permittee shall use the following design/work practice controls for the Coke Cutting/Coke Pit: high pressure water cutting of coke & enclosed drop zones/coke pit (No roof). The Permittee shall maintain records documenting the design. [STX-924-AC-PO-19]
Coke Handling, Storage and Loading Facility	PM (all species)	3.1.17.11	The Permittee shall use the following design/work practice controls for the Coke Crusher: enclosed crusher structure (enclosed structures can have ventilation vents or access ways). Moisture content control from initial cutting. The Permittee shall maintain records documenting the design. [STX-924-AC-PO-10]
Coke Handling, Storage and Loading Facility	PM (all species)	3.1.17.12	The Permittee shall use the following design/work practice controls for the Coke Transfer to Storage: enclosed (enclosed structures can have ventilation vents or access ways) conveyor to storage. The Permittee shall maintain records documenting the design. [STX-924-AC-PO-19]
Coke Handling, Storage and Loading Facility	PM (all species)	3.1.17.13	The Permittee shall use the following design/work practice controls for the Coke Storage: enclosed (enclosed structures can have ventilation vents or access ways) storage buildings, baghouse for vent control, and moisture content control from initial cutting. The Permittee shall maintain records documenting the design. [STX-924-AC-PO-19]
Coke Handling, Storage and Loading Facility	PM (all species)	3.1.17.14	The Permittee shall use the following design/work practice controls for the Coke Loading: enclosed (enclosed structures can have ventilation vents or access ways) conveyor to loading dock. "Spout" containment loading to minimize drop emissions when loading ship. The Permittee shall maintain records documenting the design. [STX-924-AC-PO-19]

Unit	Pollutant	Title V STX-TV- 003-10	Title V Permit Language Changes (Requested Revisions and Additions)
Coke Handling, Storage and Loading Facility	PM (all species)	3.1.17.17.1	[RESERVED]
Coker Steam Vents	All	3.2.17.1 (new)	The Permittee shall comply with a depressurization level of 2 psig for the Coker Steam Vents. [STX-924-AC-PO-19]
Coker Steam Vents	All	5.2. 17.4 (new)	In accordance with the Coke Steam Vent requirement of 3.2.17.1, the Permittee shall demonstrate compliance using the methods at 40 CFR 63.657(b). [STX-924-AC-PO-19]
Coker Heaters (H-8501A/B)	CO	4.2.2.5.1	For NOx and CO, the Permittee shall perform a stack test annually. The tests shall use EPA Reference Method 7E for NOx and EPA Reference Method 10 for CO and use an average of three (3) 1-hr samples. STX-924-AC-PO-19]
Coker Heaters (H-8501A/B)	CO, VOC	4.2.2.5.2	For-PM/PM10, the Permittee shall perform a stack test during the initial term of the Permittee's Title V operating permit. This requirement shall not apply if a stack test using EPA or VIDPNR approved reference methods has been performed within 2 years of the issuance date of this Title V permit. The Permittee shall retest after the initial term of the Permittee's Title V operating permit to the extent required by (i) the provisions of the applicable local or federal preconstruction permit, or (ii) VIRR Title 12, Chapter 9. In lieu of the testing requirement, the Permittee may use alternative compliance monitoring methods approved by VIDPNR or required by current or future applicable requirements. [VIRR 12-206-71(a)(3)(b) and STX-924-AC-PO-19]

Unit	Pollutant	Title V STX-TV- 003-10	Title V Permit Language Changes (Requested Revisions and Additions)
Coker Heaters (H-8501A/B)	CO, VOC	4.2.2.5.3 (new)	For VOC, the Permittee shall perform a stack test only in the event that the required annual CO test in Section 4.2.2.5.1 shows an exceedance of the CO limit. The test shall use EPA Reference Method 25 and use an average of three (3) 1-hr samples. [STX-924-AC-P0-19]
West SRU	H ₂ S, TRS	5.2.7.8 (new)	For T-1061, the Permittee shall use a CEM to comply with the limits in 3.2.7.5 in accordance with 40 CFR 60 Appendices A, B, & F, as applicable. [STX-924-AC-P0-19]
Coke Handling, Storage and Loading Facility	PM (all species)	5.2.17.1	[RESERVED]
Coker Heaters (H-8501A/B)	CO, VOC	5.3.2.7.6	The Permittee shall submit to the VIDPNR the results of the NO _x emission rate test runs, the CO emission rate test runs, and VOC (if applicable) on H-8501A and H-85018 within 60 days of the test. [STX-557A-E-02(X)(F) and (G), June 4, 2002] and [STX-924-AC-PO-19]
TK-8501	VOC	5.3.10.1.5	The Permittee shall record and maintain records documenting the material stored in the storage tank (TK-8501) showing that the tank remains exempt from control requirements in accordance with NSPS Subpart Kb, 40 CFR 60.110b(b). The Permittee shall comply with the reporting requirements of NSPS Kb, as applicable. [STX-924-AC-PO-19]
Compressor Engines at #SOD	NO _x	3.1.3.3	[RESERVED]
Compressor Engines at #SOD	CO	3.1.3.4	[RESERVED]
Compressor Engines at Penex	NO _x	3.1.3.5	[RESERVED]
Compressor Engines at Penex	CO	3.1.3.6	[RESERVED]

Unit	Pollutant	Title V STX-TV- 003-10	Title V Permit Language Changes (Requested Revisions and Additions)
Compressors at Penex and 5DD	NOx CO	4.2.3.2	[RESERVED]
Compressors at Penex and 5DD	NOx CO	5.3.3.6	[RESERVED]
TK-6815 & TK-6839	VOC	3.1.9.1	Prior to startup of the coker, Tanks TK-6815 and TK-6839 shall be equipped with sleeves on the slotted guide poles. [STX-557A-E-02(VIII)(A), June 4, 2002 and STX-924-AC-PO-19]
TK-6815 & TK-6839	VOC	5.3.9.7	[RESERVED]
No. 6 Sour Water Stripper Sour Water Tank (TK-1071), Desalter Effluent Water (DEW) Tank <TK-1663)	VOC	3.1.9.3 (new)	Tanks TK-1071 and TK-1663 are required to be equipped with external floating roofs and are subject to NSPS Subpart Kb monitoring (40 CFR 60.113b(b)) for external floating roof tanks. Seal gap measurements shall be performed (secondary once/yr, primary once/5 yrs). The Permittee shall inspect seals and fittings each time the storage tank is emptied and degassed. [40 CFR 60.113b(b) and STX-924-AC-PO-19]
No. 6 Sour Water Stripper Sour Water Tank (TK-1071), Desalter Effluent Water (DEW) Tank <TK-1663)	VOC	5.3.9.8 (new)	For TK-1071 and TK-1663, the Permittee shall comply with the reporting requirements of NSPS Subpart Kb, as applicable. [40 CFR 60.115b and STX-924-AC-PO-19]

Unit	Pollutant	Title V STX-TV- 003-10	Title V Permit Language Changes (Requested Revisions and Additions)
Process equipment	VOC	2.2.7.5 (new)	The Permittee shall comply with 40 CFR 60, Subpart GGGa. [STX-924-AC-PO-19]
West SRU	H ₂ S, TRS	3.2.7.3	For T-1061, the Permittee shall not discharge or cause the discharge of any gases into the atmosphere from any Claus sulfur recovery plant containing in excess of 162 ppm by volume of reduced sulfur compounds based on an hourly rolling 12-hour average and 66 ppm by volume of reduced sulfur compounds based on daily rolling 30-day average and IO ppm by volume of H ₂ S based on hourly rolling 12-hour average, each calculated as ppm S ₀₂ by volume (dry basis) at zero percent excess air. [40 CFR 60.102a(f)(1)(iii); 40 CFR 63, Subpart UUU and STX-924-AC-PO-19]
Boiler 10 (B-3701)	CO	3.1.1.5.3	The emission rate of CO from Boiler B-3701 shall not exceed 0.070 lb/mmBTU. [STX-924-AC-PO-19]
Boiler 10 (B-3701)	VOC	3.1.1.5.4	The emission rate of VOC from Boiler B-3701 shall not exceed 0.0050 lbs/mmBTU [STX-924-AC-PO-19]
Boiler 10 (B-3701)	CO	4.2.1.3.4	The emission rate of CO from Boiler B-3701 shall be based on the average value of three (3) 1-hour successive test runs conducted annually using EPA Reference Method 10. [STX-924-AC-PO-19]

Unit	Pollutant	Title V STX-TV- 003-10	Title V Permit Language Changes (Requested Revisions and Additions)
Boiler 10 (B-3701)	VOC	4.2.1.3.6	The Permittee shall conduct a stack test for VOC only in the event that the required annual CO test in 4.2.1.3.4 shows an exceedance of the CO limit. The emission rate of VOC from Boiler B-3701 shall be based on the average value of three (3) I-hour successive test runs conducted annually using EPA Reference Method 25. [STX-924-AC-PO-19]
Boiler 10 (B-3701)	CO VOC	5.3.1.3.5	The Permittee shall submit the results of the NO _x , CO, and VOC (if applicable) emission rate test runs on the boiler to the VIDPNR within 60 days of test completion. f ST X-924-AC-PO-19]

*"RESERVED" used to avoid disrupting the sequencing in Title V Permit STX-TV-0003-10.

E. TESTING REQUIREMENTS

1. At least 30 days prior to the actual stack testing, where required by this Permit, **LIMETREE BAY TERMINALS AND REFINING** shall submit to the Department a written protocol detailing the methods and procedures to be used during the performance testing as applicable. [12 V.I.R.&R 09.206-25(b)(1995)]
2. **LIMETREE BAY TERMINALS AND REFINING** shall notify the Department at least 30 days prior to conducting a performance test, where required by this Permit. [V.I.R.&R. Ch.9 §206-25(b)(1995)]
3. **LIMETREE BAY TERMINALS AND REFINING** shall provide permanent or other sampling and testing facilities as may be required by the Department to determine the nature and quantity of emissions for each unit. Such facilities shall conform to all applicable laws and regulations concerning safe construction and practice. [V.I.R.&R. Ch.9 § 206-25(d)(2)]
4. **LIMETREE BAY TERMINALS AND REFINING** shall conduct performance tests required in 40 CFR §60.8 and shall use as reference methods and procedures the test methods in appendix A to 40 CFR Part 60 or other methods and procedures as specified in 40 CFR Part 60, except as provided in 40 CFR §60.8(b).
5. **LIMETREE BAY TERMINALS AND REFINING** shall determine compliance with the S02 standard at 40 CFR § 60.104(a)(2) in accordance with the test method and procedures at 40 CFR § 60.106(±).
6. **LIMETREE BAY TERMINALS AND REFINING** shall determine compliance with the NO_x standard at 40 CFR § 60.332(a)(2) in accordance with the procedures at 40 CFR §60.335.

7. For units that were required to test annually or more, under Title V permit STX-TV-003-10, and did not test because the units were idled, testing shall be conducted no later than 180 calendar days after resuming Regular Operation unless otherwise specified in the Consent Decree or Consent Decree Modification. Regular Operations shall mean that the idled unit has reached sustained operations and is now operating as intended in support of the Permittee's output of product(s) or services after having been idled.
8. For units that were required to test every five years, under Title V permit STX-TV-003-10, and did not test because the units were idled, testing shall be conducted once every 5 year after the unit resumes Regular Operation unless otherwise specified in the Consent Decree or Consent Decree Modification. Regular Operations shall mean that the idled unit has reached sustained operations and is now operating as intended in support of the Permittee's output of product(s) or services after having been idled.

F. MONITORING REQUIREMENTS

1. All monitors, recorders and meter devices, if required by this Permit, shall be installed prior to operation of the equipment, unless otherwise stated. LIMETREE BAY TERMINALS AND REFINING shall maintain and calibrate, in a manner consistent with the manufacturer's specifications, all monitors, meters, hydrocarbon analyzers, and recorders as required above. All specifications shall be made available to representatives of the Department upon request.
2. All monitors, recorders and meters required in this Permit shall be located in a manner which allows easy access and visibility. The Department may require relocation of the monitor or remote readout equipment.

G. RECORDKEEPING AND REPORTING

1. **LIMETREE BAY TERMINALS AND REFINING** shall comply with the reporting and recordkeeping requirements as applicable, to affected facilities authorized by this Permit, as outlined in 40 CFR Part 60, Subpart A.
2. **LIMETREE BAY TERMINALS AND REFINING** shall comply with the notification, reporting and recordkeeping requirements as applicable, as outlined in Section 60.7 in 40 CFR Part 60, Subpart A.
3. **LIMETREE BAY TERMINALS AND REFINING** shall comply with the reporting and recordkeeping requirements as applicable, as outlined in Section 60.592a in 40 CFR Part 60, Subpart GGGa.
4. **LIMETREE BAY TERMINALS AND REFINING** shall comply with the notification, reporting and recordkeeping requirements as applicable, as outlined in Section 63.10 in 40 CFR Part 63, Subpart A.
5. **LIMETREE BAY TERMINALS AND REFINING** shall comply with the reporting

and recordkeeping requirements as applicable, as outlined in Section 63.655 in 40 CFR Part 63, Subpart CC.

6. **LIMETREE BAY TERMINALS AND REFINING** shall comply with the reporting and recordkeeping requirements as applicable, as outlined in Section 63.1575 and 1576 in 40 CFR Part 63, Subpart UUU.
7. **LIMETREE BAY TERMINALS AND REFINING** shall comply with the reporting and recordkeeping requirements as applicable, as outlined in Section 63.6650 and 63.6655 in 40 CFR Part 63, Subpart ZZZZ.
8. **LIMETREE BAY TERMINALS AND REFINING** shall comply with the reporting and recordkeeping requirements as applicable, as outlined in Section 63.7550 and 7555 in 40 CFR Part 63, Subpart DDDDD.
9. **LIMETREE BAY TERMINALS AND REFINING** shall submit a written notification to the Department thirty (30) days prior to commencement of construction as authorized in this Permit.
10. **LIMETREE BAY TERMINALS AND REFINING** shall submit a written notification to the Department of the date of commencement of operation of the process units authorized in this Permit, and to be postmarked no later than 15 days after such time.
11. **LIMETREE BAY TERMINALS AND REFINING** shall submit a written report of the results of each performance test, if required by this Permit, before the close of business on the 60th day following completion of the performance test. [12 V.I.R&R 09.206- 25(c)(1995)]
12. **LIMETREE BAY TERMINALS AND REFINING** shall maintain records of the occurrence and duration of startup, shutdown, or malfunction in the operation of the emissions units authorized by this Permit. In addition, the type of malfunction, date of malfunction, parts replaced, the service performed, and downtime shall be recorded.
13. Manufacturer's specifications and operating procedures shall be kept on site and readily available to USEPA and Department representatives. [12 V.I.R&R 09.206-91(b)]

SECTION III: FACILITY WIDE REQUIREMENTS

1. **LIMETREE BAY TERMINALS AND REFINING** shall also comply with any other emission limits, testing, monitoring, recordkeeping and reporting required pursuant to the Virgin Islands rules and regulations.
2. Where an applicable requirement of the Clean Air Act, as amended 42 U.S.C. §7401 (Act) is more stringent than an applicable requirement of regulations promulgated under Title IV of the Act, the permit incorporates both provisions into the permit and the Commissioner or the Administrator can enforce both provisions.
3. Compliance with any annual limitations of this Permit shall be determined from a running

total of 12 months of data unless otherwise specified in a particular condition.

4. All records and data required to demonstrate compliance in this Permit shall be submitted to the Department upon request.
5. **LIMETREE BAY TERMINALS AND REFINING** shall operate and maintain all operating equipment, air pollution control equipment, and monitoring equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times including during startup, shutdown, and malfunction.
6. **LIMETREE BAY TERMINALS AND REFINING** shall ensure that any fugitive dust associated with the construction or installation of the equipment covered by this Permit is minimized and controlled. [12 V.I.R.&R, Ch. 9, 206-26(d)(1)]
7. **LIMETREE BAY TERMINALS AND REFINING** shall construct and/or install the equipment, control apparatus and emission monitoring equipment within the design limitations.
8. **LIMETREE BAY TERMINALS AND REFINING** shall report any exceedance of this Permit in the Title V semi-annual report. If there is no exceedance, a statement as such will be included in the Title V semi-annual report.
9. **LIMETREE BAY TERMINALS AND REFINING** shall not discharge into the atmosphere, any air contaminant(s) with opacity greater than or equal to twenty percent (20%) for any time period, except for a period or periods aggregating not more than 3 minutes in any 30-minute period when opacity shall be less than or equal to 40%. [12 V.I. R&R, Ch. 9 §204-22(a) and (b)].
10. For the purpose of ascertaining compliance or non-compliance with any air pollution control rule or regulation, the Commissioner may require **LIMETREE BAY TERMINALS AND REFINING**, which owns such air contamination source, to conduct acceptable tests to measure emissions.
11. **LIMETREE BAY TERMINALS AND REFINING** shall not cause or permit any materials to be handled, transported, or stored in a building, its appurtenances, or cause a road to be used, constructed, altered, repaired or demolished without taking the necessary precautions to prevent particulate matter from becoming airborne. [12 V.I.R&R, Ch. 9 §204-25(a)(1) through (9)].
12. The Commissioner may require other reasonable measures as may be necessary to prevent particulate matter from becoming airborne. [12 V.I.R&R, Ch.9 §204-25(b)]
13. **LIMETREE BAY TERMINALS AND REFINING** shall not cause or permit the discharge of visible emissions of fugitive dust beyond the boundary line of the property on which their emissions originate. [12 V.I.R&R, Ch. 9 §204-25(c)]
14. **LIMETREE BAY TERMINALS AND REFINING** shall notify the Commissioner in writing not less than thirty (30) days prior to any proposed stack test of the emissions units' subject to this Permit, of the time and date of the proposed stack test as applicable.

Such notification shall also include the acceptable procedures to be used to conduct said stack test including sampling and analytical procedures.

15. **LIMETREE BAY TERMINALS AND REFINING** shall allow the Commissioner, or his representatives, free access to observe stack testing.

16. **LIMETREE BAY TERMINALS AND REFINING** must provide the following as applicable:
- (a) Sampling ports adequate for applicable test methods;
 - (b) Safe access to sampling ports; and
 - (c) Utilities for sampling and testing equipment.
17. **LIMETREE BAY TERMINALS AND REFINING** shall not cause or permit any materials to be handled, transported, or stored in a building, its appurtenances, or cause a road to be used, constructed, altered, repaired or demolished without taking the necessary precautions to prevent particulate matter from becoming airborne. [V. I. R&R 204-25(a)(1) through (9)].
18. The Commissioner may require other reasonable measures as may be necessary to prevent particulate matter from becoming airborne.
19. **LIMETREE BAY TERMINALS AND REFINING** shall not cause or permit the discharge of visible emissions of fugitive dust beyond the boundary line of the property on which their emissions originate.
20. **LIMETREE BAY TERMINALS AND REFINING** shall maintain the following records of monitoring information if monitoring is required by this Permit.
- (a) The date, location and time of sampling or measurements
 - (b) The date(s) analyses performed
 - (c) The company or entity performing the analyses
 - (d) The analytical techniques or methods used
 - (e) The result of such analyses
 - (f) The facility's status at the time of sampling or measurements.

SECTION IV: GENERAL REQUIREMENTS

1. This Authority to Construct shall automatically become invalid one (1) year after the date of its issuance, unless the construction or modification has commenced or an application for extension, in the form of a letter to the Commissioner, is made thirty (30) days prior to the expiration date of the Permit. [12 V.I.R&R, Ch. 9, 206-26(f)(1)]
2. The Permit to Operate shall be valid for a period of three (3) years after the date of its issuance, unless a timely application for renewal has been made or the Authority to Construct and Permit to Operate has been incorporated into the Title V Permit in accordance with 12 V.I. R&R §206-21(b). In accordance with V.I. R&R § 206-20(c) and 206-27(c)(1), the Permit to Operate is granted and the article, machine, equipment, or contrivance may be operated once the article, machine, equipment or contrivance is made to conform to the standards in the MARPOL ATC and elsewhere in Title 12, Chapter 9.
3. Any revisions to activities described in the permit application and authorized in this Permit shall be approved by the Commissioner prior to commencement of operations. [12 V.I.R&R, Ch. 9, §206-26(e)(1)]
4. In the case that this Permit is subject to any challenge by third parties, the effectiveness of the Permit stands until any judicial court decides the contrary.
5. **LIMETREE BAY TERMINALS AND REFINING** shall comply with all conditions of this Permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
6. All terms and conditions contained herein shall be enforceable by the USEPA and citizens of the United States under the Clean Air Act, as amended, 42 U.S.C. § 7401, et seq.
7. Nothing in this Permit shall alter or affect the authority of the USEPA to obtain information pursuant to 42 U.S.C. § 7414, "Inspections, Monitoring, and Entry".
8. **LIMETREE BAY TERMINALS AND REFINING** shall not claim as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit.
9. The Department may modify, revoke, reopen and reissue the Permit or terminate the Permit for cause [12 V.I.R&R § 206-28]. The filing of a request by the source for a permit modification, revocation and reissuance, or termination or the filing of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
10. This Permit does not convey any property rights of any sort, or any exclusive privilege.
11. Issuance of this Permit does not relieve the **LIMETREE BAY TERMINALS AND REFINING** from the responsibility of obtaining and complying with any other permits, licenses, or approvals required by the Department or any other federal, territorial, or local agency.

12. Nothing in this Permit shall alter or affect the liability of **LIMETREE BAY TERMINALS AND REFINING** for any violation of applicable requirements prior to or at the time of Permit issuance.
13. Any condition or portion of this Permit, which is challenged, becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this Permit.
14. Compliance with the terms of this Permit shall be deemed compliance with all applicable requirements as of the date of Permit issuance, provided that all applicable requirements are included and specifically identified in the Permit or permit application.
15. In accordance with 12 V.I.R.&R. §206-65, the Department shall allow certain defined changes at permitted facilities that contravene permit terms or conditions or make them inapplicable without requiring a permit revision. Such changes may not include changes that violate applicable requirements or contravene permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.
16. If after notification as described in Condition 15 above, the Department deems that the change implemented by the source does not qualify under § 206-65(b), the original terms of the permit remain fully enforceable.
17. Provisions for operational flexibility do not preclude a source's obligation to comply with all applicable requirements. [12 V.I.R.&R 09-206-65(a)(3)(1995)]
18. Any application forms, all reports, or compliance certifications submitted pursuant to this Permit shall contain a certification of truth, accuracy and completeness signed by a responsible official of the facility. Any certification submitted by the facility shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete. [12 V.I.R.&R 09-206-64(1995)]
19. Information contained in permit applications shall be public, except that which is claimed confidential in accordance with the Virgin Islands Air Pollution Control Act. The contents of the permit itself are not entitled to confidentiality. [12 V.I.R.&R, Ch. 9 §206-62(d)]
20. Upon request, **LIMETREE BAY TERMINALS AND REFINING** shall furnish to the Department copies of records that this facility is required to keep by this Permit, which information may be claimed to be confidential in accordance with the Virgin Islands Air Pollution Control Act. **LIMETREE BAY TERMINALS AND REFINING** may furnish such records directly to the Department, if necessary, along with a claim of confidentiality. [12 V.I.R.&R 09-206-62((d)(1995)]
21. A copy of this Permit shall be kept on-site at **LIMETREE BAY TERMINALS AND REFINING**. [12 V.I.R.&R 09-206-20(d)(1995)]
22. **LIMETREE BAY TERMINALS** shall assume HOVENSA's Liabilities under the

Consent Decree (Case No. 1:11-cv-00006) in connection with the assets purchased pursuant to the Amended and Restated Asset Purchase Agreement arising out of or relating to any act, omission, circumstances or other event occurring after the closing of such purchase, and shall use commercially reasonable efforts to add itself as a named party defendant to the Consent Decree and execute a modification to the Consent Decree by August 31, 2020 to restart refinery operations. [12 V.I.R&R 09.206.26(d))(1995)] [V.I.R&R 09.206.27(c)(1995)] [Amended and Restated Asset Purchase Agreement] [Amended and Restated Terminal Operating Agreement with the Government of the United States Virgin Islands]

23. LIMETREE BAY REFINING shall use commercially reasonable efforts to add itself as a named party defendant to the Consent Decree (Case No. 1:11-cv-00006) and execute a modification to the Consent Decree by August 31, 2020 to restart refinery operations. [Refinery Operating Agreement with the Government of the United States Virgin Islands]
24. This permit shall not release LIMETREE BAY TERMINALS AND REFINING from violations that occur post-restart or prior to any modification of the Consent Decree (Case: 1:11-cv-00006) as entered by the court. [12 V.I.R&R 09.206.26(d) (1995) [V.I.R&R 09.206.27(c)(1995)]
25. The Commissioner may cancel an approval if the construction is not begun within two (2) years from the date of issuance, or if during the construction, work is suspended for one (1) year (365 days consecutive) [12 V.I.R&R 09.206.31(e)(1995)]
26. The Commissioner shall modify or revoke an Authority to Construct or permit to Operate for the reasons and manner outlined in 12 V.I.R&R 09.206-28(1995).